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*John J. Kelly Jr.*

John J. Kelly Reg. No.: 29,182

Examiner : Scott R. Kastler  
Art Unit : 1742  
Docket No. : 52433/763

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : T. TOMINAGA et al.  
Serial No. : 10/826,772  
Filed : April 16, 2004  
For : TREATMENT METHOD FOR IMPROVING FATIGUE LIFE AND  
LONG-LIFE METAL MATERIAL TREATED BY USING SAME  
TREATMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

SIR:

This is a Request For Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified patent application.

**1. Submission required under 37 C.F.R. §1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on July 16, 2007.

(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

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- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other.

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☒ Other. Petition For Extension Of Time.

## 3. Fees

- a. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0600:
  - i. ☒ RCE fee required under 37 C.F.R. §1.17(e) (\$790.00)
  - ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii. ☐ Suspension fee under 37 C.F.R. §1.17(i) (\$130.00)
  - iv. ☒ Any deficiency of fee due or any other required fee due in connection with this Request For Continued Examination or in connection with the continued examination of the above-identified patent application.

A duplicate of this paper is enclosed for deposit account charging purposes.

Respectfully submitted,

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